

for Roanoke  
JUN 26 2007

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

JOHN F. CORCORAN, CLERK  
BY:   
DEPUTY CLERK

BRIAN C. JONES, SR., #360469,  
Petitioner,  
v.  
WARDEN CAROL WALLACE,  
Respondent.)  
Civil Action No. 7:07cv00106  
FINAL ORDER  
By: Jackson L. Kiser  
Senior U.S. District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

**ORDERED**

that

- 1) Jones' motion for voluntary dismissal of three claims [Docket #7] is **GRANTED**;
  - 2) Respondent's motion to dismiss is **DENIED**;
  - 3) Respondent is directed to file a response to the merits of these claims within twenty (20) days.

The Clerk of the Court is directed to send a certified copy of this Order and accompanying Memorandum Opinion to the petitioner and respondent.

ENTER: This 26<sup>th</sup> day of June, 2007.

  
Sacheen J. Phillips  
Senior U.S. District Judge